IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No. 4652 of 2006
Date of decision : 31.10.2006.

Ajaib Singh & Anr.

.....Petitioners.

Versus

Jagraj Singh & Ors.

...Respondents.

CORAM : HON'BLE MR. JUSTICE VINOD K. SHARMA

Present : Mr. Suresh Goel,Advocate
for the petitioners.

Ms. Malkiat Mann, Advocate
for respondent No.1.

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VINOD K. SHARMA,J.(ORAL)

The present revision petition has been filed against the order dated 1.8.2006 passed by the learned Additional Civil Judge (Sr.Divn.), Barnala vide which defence of the petitioners was ordered to be struck of and ex parte order of injunction was affirmed till final decision of the case.

The learned counsel for the petitioners contends that proposal of compromise was under consideration between the parties and it was for that reason that the written statement could not be filed. However, no such plea had been raised before the trial Court.

Without going into the merit of the case, I feel that interest of justice would be served if the petitioners are granted one opportunity to file their written statement on payment of costs. Accordingly, the present

revision is allowed, the impugned order is set aside and the petitioners are granted one last opportunity to file their written statement. However, this shall be subject to payment of Rs. 5000/- as costs.

October 31,2006 **(VINOD K. SHARMA)**
'sp' **JUDGE**